



**FREMONT PLANNING BOARD**  
**September 7, 2011**  
**Meeting Minutes**  
Approved September 21, 2011

Present: Chairman Roger Barham, Vice-Chair John (Jack) Karcz, Member John (Jack) Downing, Selectman Brett Hunter, Alt. Andrew Kohlhofer, RPC Circuit Rider Brian Groth, Building Inspector/Code Enforcement Officer Marcus Everngam, and Land Use AA/Recording Secretary Meredith Bolduc.

Mr. Barham opened the meeting at 7:10 pm.

**MINUTES**

Mr. Downing made the motion to approve the minutes of the August 31, 2011 meeting as written.

Motion seconded by Mr. Karcz with favorable vote of 4-1. Mr. Kohlhofer abstained as he was not present at that meeting.

**CIP**

Mr. Barham reported that he has scheduled a meeting with RPC Assistant Director Glenn Greenwood on Friday September 9, 2011 at the RPC office to discuss resuming the Fremont CIP process. He will report the results of the meeting to the Board at the next meeting.

**PZ BUDGET vs ACTUAL STATEMENT**

The Board received and reviewed the Planning/Zoning expenditure statement for January through August 31, 2011.

**RPC = TARGETED BLOCK GRANT (TGB)**

The TBG application in the amount of \$2,500 for revision of the Vision Chapter of the Master Plan was submitted to RPC on August 25, 2011. Mr. Groth reported that the grant has been awarded for the entire amount. The project will be contracted with RPC with a June 30, 2012 completion date.

**SEACOAST FARMS**

(Shirkin Road, Map 5 Lot 035)

Mr. Barham reported that he sent an e-message to RPC Circuit Rider Brian Groth explaining that at the August 31, 2011 Planning Board meeting it was determined that the plan signed on May 19, 1999 for Seacoast Farms was the approved site plan, but the 2008 plan represented the official wetlands delineation. He advised that the next step of the Board is to determine whether Seacoast Farms is in compliance with his approved site plan. Mr. Barham scanned the 4 plans,

that are on file with the Planning Board, associated with Seacoast Farms Composting Operation located at Map 5 Lot 035 on Beede Hill Road, Fremont, attached them to the message and requested that overlay plans be created.

Explanation of Seacoast Farms plans for the record:

1. The scan titled Seacoast Farms 1999 24 x 36 is the original plan (SP-1) that was submitted by Bob Kelly and signed/approved by the Fremont Planning Board in 1999. This is the APPROVED PLAN.
2. The scan titled Seacoast Farms 2002 24x36 is a revised plan (SP-1A) that was submitted by Bob Kelly and denied by the Fremont Planning Board in 2002. This proposed site plan amendment was to expand the operation on 2 acres located on the west side of the existing operation and the only change from the original plan is the detailing the additional 2 acres. This amendment was denied by the Board because of odor complaints.
3. The scan titled Seacoast Farms 2005 11x17 was a sketch plan submitted by Bob Kelley detailing his proposal to construct Composting Operations Barrier Berms. This was a result of it being determined by the Town that his operations had extended within 100' of wetlands. The Town had required Bob Kelly to install Composting Operations Barrier Berms at or beyond the 100' wetlands setback to ensure future compliance. Plan was provided as informational detailing his proposal to comply and the Planning Board did not sign off on the plan.
4. The scan titled Seacoast Farms 2008 24x36 is the latest plan submitted Bob Kelly in response to the Planning Board's long time request for a plan detailing the wetlands delineation signed by a Wetlands Scientist. This plan is based on the 2005 sketch and shows the following:
  - Property Line
  - Wetlands Delineation
  - 100' wetlands setback
  - Composting Operations Barrier Berms as shown on 2005 plan
  - Location of Scales and Office
  - Outline of packed gravel pad with NO details of layout of composting operation (which was provided on 1999 approved plan)
  - Updated topo contours

Mr. Groth submitted two preliminary plans overlaid with an aerial plan. One using the 1999 plan and one using the 2008 plan. These plan overlays were a result of Mr. Barham's requests to RPC to create them using GIS with the 2010 NH Ortho, the goal results was to produce a composite plan that would prove wetlands boundary, 100' wetlands setbacks, outline of packed gravel pad, outline of scale and office location and rock face contours.

Mr. Groth said that the information is not really accurate without a survey. Mr. Barham said the goal is to ascertain where the Seacoast Farms site work was originally located and where it is at this point in time. Mr. Groth stated that from the overlays he can see several areas that appear to be in non-compliance with the original plan; that according to the overlay of the 1999 original site plan the layout is different, the berms are not shown and material piles are different. It was noted that the Soil Scientist stamp on the 2008 plan was to certify where the wetlands were at that time.

Mr. Barham suggested moving forward with a final overlay plan to see if and where Seacoast Farms is in non-compliance with the original site plan. The Members agreed that it is important to know precisely where the wetlands are and how the land is treated. Mr. Groth suggested that photographs of the area would be helpful. The Members agreed that a site visit is in order to see

where he is at for compliance with the original site plan.

Mr. Barham said that the goal is to either bring Seacoast Farms into compliance with the original approved site plan or to amend the plan.

There was a conversation relative to the fact that there are two commercial operations on the same piece of property – 1) Galloway Excavation and 2) Seacoast Farms Composting Operation. There was a question of where one begins and the other ends. Mrs. Bolduc will research the original Galloway Excavation plan and permit, and Mr. Barham will create a pdf. of the plan for the Board to review. It was agreed that both plans should be in hand prior to a site visit.

This topic will be discussed at the next meeting.

#### ZONING ORDINANCES PROPOSED FOR 2012

The following zoning ordinance amendments were discussed. No decisions or motions were made.

1. Adult Entertainment = New – Mrs. Bolduc research other Towns ordinances.
2. Nuisance = New – Mrs. Bolduc will research other Towns ordinances.
3. Article XI –E; 4 (d) – add “except for propane and natural gas”.
4. Amend Article IV Section 9 (paragraph 2) to change “State of New Hampshire Water Supply and Pollution Control Commission” to *New Hampshire DES Water Division, Subsurface Systems Bureau and/or its successor*. The rationale is that the NH WSPCC is now the *NH DES Water Division, Subsurface Systems Bureau*.
5. Amend Article IV Section IV-A –G “In Law Apartments” to eliminate “*and shall be at ground level.*”
6. Amend Article XIX, 1.3-C “Signs” to specify a size limit. There was a conversation relative to fines for illegal placement of signs. RSA 674:17 was discussed.
7. Article XVIII-10 Open Space Preservation Ordinance - Mr. Groth said he feels the existing Open Space Preservation Ordinance is too restrictive because the amount of property the developer would have to give up would not justify the bonus offered as incentive.

Mr. Karcz discussed 10, 3(b) which says “70% of the proposed units within a development must consist of single family detached dwellings”.

#### YARD SALES

There was a conversation relative to properties where there are frequently several items placed for sale. This prompted a conversation about requiring a permit for frequent yard sales. Mrs. Bolduc will research other Towns ordinances/rules relative to yard sales and report her findings back to the Board at the next meeting.

#### INCOMING CORRESPONDENCES

There was no incoming correspondence.

#### CORPORATE COMMERCIAL ZONE:

Mr. Kohlhofer suggested having a meeting with owners of properties in the Corporate Commercial Zone and some commercial real estate developers for the purpose of letting them know that there is a Corporate Commercial Zone, where it is located and to possibly generate

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some development interest. It was noted that meetings have been done in the past and perhaps another meeting would be useful. This prompted some discussion about the location of the Corporate Commercial Zone. No decision was made.

Mr. Karcz made the motion to adjourn at 8:55 pm.  
Motion seconded by Mr. Downing with unanimous favorable vote.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

Next regular meeting: September 21, 2011.

### ACTION ITEMS

From the September 7, 2011 Meeting.

Bolduc:

- Research the original Galloway Excavation plan and permit (Map 5 Lot 35)
- Research other Town's ordinances/rules relative to adult entertainment.
- Research other Town's ordinances/rules relative to nuisance regulation.
- Research other Town's ordinances/rules regulating yard sales.

From the August 10, 2011 meeting.

Groth: Speak with RPC Senior Planner Julie LaBranche relative to available funding for an Energy Chapter to the Master Plan.

Barham: Discuss resuming the CIP process with RPC Assistant Director Glen Greenwood.

From the March 16, 2011 Meeting.

Groth:

- Work with Mrs. Bolduc on restructuring the regulations and present a draft to the Members at a future meeting.
- Take a look at the new NHDES Alteration of Terrain Program's criteria and report back to the Board.

### PROJECTS PENDING/COMPLETED WITH RPC

- Master Plan Audit - Funded with CTAP Phase II funds = **\$3,500**; completion date of August 1, 2010. Completed February 16, 2011.
- CIP Annual Process - Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009. Pending as of August 31, 2011.
- Provide one (1) final paper copy and one (1) electronic version of the updated MP. Provide one (1) final copy of all elements of the CIP annual update process- Funded with the 2010 Targeted Block Grant (TGB); completion date of June 30, 2010. Paid Towns share of **\$1,000** in December 2009. Pending as of August 31,

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2011.

Updated project timeline table below.

RPC

Projects Non-CTAP	Status	2009 30 June	2010 30 June	2010 22 Sept	2010 27 Oct
CIP Process Submittal Materials (2010 TBG)	Pending		Contracted Completion Date		
1 final copy of updated MP, CIP elements (2010 TBG)	Pending		Contracted Completion Date		